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Attorney Docket No.: 5313

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Michael ASMUSSEN, et al.

Examiner: n/a

Serial No.: 09/921,057

Art Unit: 2611

Filed: August 3, 2001

Title: VIDEO AND DIGITAL MULTIMEDIA AGGREGATOR CONTENT  
SUGGESTION ENGINE

**Box Missing Parts**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF NONPROVISIONAL APPLICATION UNDER 37 CFR 1.53(b)**

Sir:

In response to the Notice To File Missing Parts dated August 21, 2001, please find enclosed the following:


- Fully executed Declaration and Power of Attorney in compliance with 37 CFR 1.63
- Late filing fee surcharge of \$130.00 for late submittal of Declaration in compliance with 37 CFR 1.16(e)
- Preliminary Amendment
- Petition for Extension of Time
- Copy of Notice To File Missing Parts Of Nonprovisional Application

The Commissioner is hereby authorized to charge the surcharge fee in the amount of \$130.00 to Deposit Account No. 04-1425. In addition, the Commissioner may charge any excess or insufficiency to the above deposit account number in connection with this communication.

A duplicate copy of this letter is transmitted for that purpose.

Respectfully submitted,

Date: December 21, 2001

  
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09/921,057

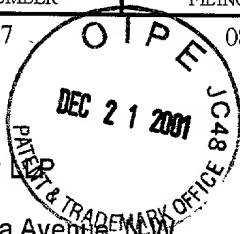


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/921,057	08/03/2001	Michael L. Asmussen	5313

Dorsey & Whitney LLP  
Suite 300 South  
1001 Pennsylvania Avenue, N.W.  
Washington, DC 20004



CONFIRMATION NO. 8084

## FORMALITIES LETTER



\*OC000000006454465\*

Date Mailed: 08/21/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/26/2001 BNGUYEN1 00000043 041425 09921057

FILED UNDER 37 CFR 1.53(b)

01 FC-105

130.00 CH

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been **omitted** from the application:

- Figure(s) 11a-11c, 12a-12b described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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